

**REMARKS**

**Summary of the Office Action**

In the Office Action dated June 15, 2004, claims 1-22 [sic claims 2, 3 and 5-22] stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. 10/025,906 (Park et al.).

Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,744,417 to Yamashita et al.

**Summary of the Response to the Office Action**

Applicants are submitting concurrently herewith an English-language translation of the priority document, Korean Application No. P2000-85393 to perfect the foreign priority to remove Yamashita et al. as prior art. Claims 2, 3 and 5-22 are pending for consideration.

The Examiner is thanked for withdrawal of claim rejections under 35 U.S.C. §112, second paragraph, and 25 U.S.C. §§ 102 and 103, which were made in the previous Office Action dated September 26, 2004.

**The Rejection of Claims under 35 U.S.C. § 103**

Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,744,417 to Yamashita et al.

Applicants are submitting concurrently herewith an English-language translation of the priority document, Korean Application No. P2000-85393 pursuant to 37 C.F.R. §1.55(a)(4). A claim for foreign priority based on Korean Application No. P2000-85393 and a certified copy of the Korean application were filed with the Office on September 17, 2001. Applicants respectfully submit that at least claims 11 and 12 are properly supported by the Korean priority document. Korean Application No. P2000-85393 was filed in Korea on December 29, 2000, which predates the 102(e) date of Yamashita et al., which is June 12, 2001. Thus, Yamashita et al. is now removed as prior art. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 11 and 12 under 35 U.S.C. § 103(a).

This submission of the translation of the Korean priority document and associated reliance on the foreign priority do not constitute an admission that Yamashita et al. was properly applied in rejecting claims 11 and 12 under 35 U.S.C. § 103(a). Applicants reserves the right to establish the patentability of the claimed invention should Yamashita et al. be applied against the instant application as prior art.

#### **Provisional Obviousness-type Double Patenting Rejection**

The remaining rejection is the provisional obviousness-type double patenting rejection of claims 1-22 [sic, claims 2, 3 and 5-22] in view of claims 1-19 of copending Application No. 10/025,906 (Park et al.). In accordance with MPEP 804.I.B, if the provisional double patent rejection in one application is the only rejection remaining that application, the Examiner should then withdraw the rejection and permit the application

to issue as a patent. Having removed Yamashita et al. as prior art, there is no remaining rejection except this provisional double patenting rejection in the instant application. Accordingly, Applicants respectfully request withdrawal of the provisional double patenting rejection and that the present application be issued as a patent.

**Conclusion**

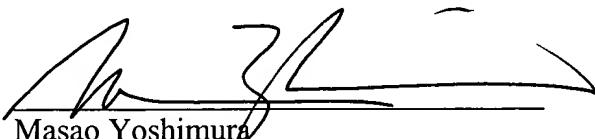
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at 202.739.5660 to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.1 36(a)(3).

Respectfully submitted,

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By:



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Enclosures